

**Senate File 89 - Introduced**

SENATE FILE 89

BY ZAUN

**A BILL FOR**

1 An Act relating to the grounds for termination of parental  
2 rights.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 600A.8, Code 2017, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 12. *a.* The parent is palpably unfit to  
4 be a party to the parent-child relationship as determined by a  
5 consistent pattern of specific conduct or specific conditions  
6 directly relating to the parent-child relationship which are  
7 determined by the court to be of a duration or nature that  
8 renders the parent unable, for the reasonably foreseeable  
9 future, to provide the appropriate care and support for the  
10 ongoing physical, mental, or emotional needs of the child.  
11 *b.* In making a determination that a parent is palpably  
12 unfit, the court may consider any specific conduct or specific  
13 conditions directly relating to the parent-child relationship  
14 that the court deems significant in rendering the parent  
15 unable to provide the appropriate care and support for the  
16 ongoing physical, mental, or emotional needs of the child.  
17 Such conduct or conditions may include but are not limited to  
18 the parent's history relating to a substance-related disorder  
19 as defined in section 125.2 that results in the parent being  
20 a danger to self or others as evidenced by prior acts; the  
21 parent's history of domestic abuse assault pursuant to section  
22 708.2A; the parent's history of imprisonment for a felony  
23 offense including any crime against a child; or the parent's  
24 current imprisonment from which the parent is unlikely to be  
25 released in five years or less.

26 EXPLANATION

27 The inclusion of this explanation does not constitute agreement with  
28 the explanation's substance by the members of the general assembly.

29 This bill provides an additional ground for termination of  
30 parental rights. The bill provides that under Code chapter  
31 600A, the court may order the termination of parental rights if  
32 the court finds the parent to be palpably unfit as determined  
33 by a consistent pattern of specific conduct or specific  
34 conditions directly relating to the parent-child relationship  
35 which are determined by the court to be of a duration or nature

1 that renders the parent unable, for the reasonably foreseeable  
2 future, to provide the appropriate care and support for the  
3 ongoing physical, mental, or emotional needs of the child. The  
4 bill provides that in making a determination that a parent is  
5 palpably unfit, the court may consider any specific conduct  
6 or specific conditions directly relating to the parent-child  
7 relationship that the court deems significant in rendering the  
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14 the parent's history of domestic abuse assault pursuant to  
15 Code section 708.2A; the parent's history of imprisonment for  
16 a felony offense including any crime against a child; or the  
17 parent's current imprisonment from which the parent is unlikely  
18 to be released in five years or less.